

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - DETROIT

IN RE:

TREMAYNE BARKSDALE

CASE NO. 21-44392-MAR

CHAPTER 13

HONORABLE MARK A. RANDON

DEBTOR.

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MARSHALL D SCHULTZ (P38040)

Attorney for Debtor

29777 Telegraph Road, Suite 2203

Southfield, MI 48034

(248) 559-6930

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CRAIG S. SCHOENHERR, SR. (P32245)

Attorney for Creditor

O'REILLY RANCILIO P.C.

Sterling Town Center

12900 Hall Road, Suite 350

Sterling Heights, MI 48313-1151

(586) 997-6481

(586) 726-1000  
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**OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

Ally Bank ("Creditor"), for its Objection to Confirmation of Debtor's Chapter 13 Plan, states as follows:

1. The Creditor has perfected its security interest in the 2017 Dodge Promaster bearing vehicle identification number 3C6TRVDG2HE543352.
2. The gross outstanding indebtedness owing to the Creditor under the terms of the Retail Installment Sales Contract at the time of filing of the Bankruptcy was \$33,398.25.
3. The Plan states a crammed Class 5.1 value of \$18,000.00 with monthly payments of \$311.19, to be paid with interest at 6.25%.

4. Based upon the NADA Official Used Car Guide, the Creditor asserts that the value of the vehicle is approximately \$26,000.00.

5. The Creditor requests proof of full-coverage insurance.

6. Payment of attorney fees as provided for in the Plan will delay payments to the Creditor in violation of the equal monthly payment requirement of 11 U.S.C. § 1325(a)(5)(B)(iii).

7. The Plan fails to provide for appropriate equal monthly payments beginning from confirmation as required by 11 U.S.C. § 1325(a)(5)(B)(iii).

8. The Plan fails to provide that the Creditor retain its lien on the subject vehicle as required under 11 U.S.C. § 1325(a)(5)(B)(i).

In conclusion, the Creditor requests that this Court grant the relief requested and not confirm the Chapter 13 Plan until these Objections are resolved.

O'REILLY RANCILIO P.C.

*/s/ Craig S. Schoenherr, Sr.*

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CRAIG S. SCHOENHERR, SR. (P32245)  
Attorney for Creditor  
12900 Hall Road, Suite 350  
Sterling Heights, MI 48313-1151  
(586) 726-1000  
[ecf@orlaw.com](mailto:ecf@orlaw.com)

DATED: June 1, 2021